

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SCOTT WESLEY HUMPHRIES,

Plaintiff,

v.

SECURUS PHONE, et al.,

Defendant.

CASE NO. 3:23-cv-06120-BJR-BAT

**ORDER TRANSFERRING CASE TO
THE EASTERN DISTRICT OF
WASHINGTON**

Plaintiff, a detainee at the Coyote Ridge Corrections Center (CRCC) in Connell, Washington, filed a complaint alleging various Defendants either at or connected to the CRCC violated his civil criminal rights. Dkt. 1. The complaint plainly alleges all defendants are either located in the Eastern District of Washington or the events giving rise to plaintiff's claims occurred in that District. Venue is accordingly proper in the United States District Court for the Eastern District of Washington, not in this Court. *See* 28 U.S.C. § 1391(b)(1) and (b)(2).

A case that is filed in the wrong district, shall either be dismissed or in the interest of justice, be transferred to the proper district. 28 U.S.C. 1406(a). In the interest of justice, the Court transfers the case so the Court in the Eastern District of Washington can screen the case under its own requirements and 28 U.S.C. § 1915(g). Because this order does not address the merits of the parties' claims, it is suitable for decision by a United States Magistrate Judge under

28 U.S.C. § 636(b)(1)(A). *See Data Scape Limited v. Barracuda Networks, Inc.*, No. 19-cv-00179, 2019 WL 3842884 at n. 1 (E.D. Cal. Aug. 15, 2019) citing *Paoa v. Marati*, 2007 WL 4563938 at *2 (D. Haw. Dec. 28, 2007) (collecting cases for the proposition that an order on a motion to transfer venue is a non-dispositive order).

The Court accordingly **ORDERS: (1)** this case is **TRANSFERRED** to the United States District Court for the Eastern District of Washington; **(2)** the Clerk shall take the steps necessary to transfer this case and to close the case in this district; **(3)** Plaintiff should note he may be required to pay the court filing fee because the Eastern District of Washington has deemed him subject to the “Three Strikes” rule, *see Humphreys v. Coyote Ridge Superintendent, et al.*, 4:23-cv-05052-RMP; and **(4)** copies of the Order shall be provided to Plaintiff and to the Honorable Barbara J. Rothstein.

DATED this 13th day of December, 2023.



BRIAN A. TSUCHIDA
United States Magistrate Judge